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Paper No. 11

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OCT 29 2002

OFFICE OF PETITIONS

In re Application of
Dojun Rhee
Application No. 09/994,556
Filed: November 27, 2001
Attorney Docket No. 4028-00300/(99-269)
For: UNEQUAL ERROR PROTECTION REED-
MULLER CODE GENERATOR AND DECODER

:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(b)
:
:

This is in response to the reconsideration petition under 37 CFR 1.47(b), filed October 4, 2002.

The petition is granted.

Petitioner has shown that the non-signing inventor, Mr. Dojun Rhee, has constructively refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the exhibits to the February 8, 2002 petition establish that the inventor was mailed the application papers, including the specification, claims and drawings, received them, but failed to respond to the request that he sign the declaration. In addition, petitioner has shown that LSI Logic Corporation has a proprietary interest in the above-identified application with the copy of the employment agreement showing that the inventor had an obligation to assign any patent rights to LSI Logic Corporation. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2600 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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In re Application of
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Filed: November 27, 2001
Attorney Docket No. 4028-00300/(99-269)
For: UNEQUAL ERROR PROTECTION
REED-MULLER CODE GENERATOR
AND DECODER

LETTER

Dear Mr. Rhee:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
Senior Petitions Attorney
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